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## DECLARATION AND POWER OF ATTORNEY

Atty. Dkt. No.: 8540G-000083  
Client Ref. No. GP-301170

### DECLARATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### FUEL CELL ENERGY MANAGEMENT SYSTEM FOR COLD ENVIRONMENTS

the specification of which (check one)

is attached hereto.  
or  
 was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on  
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

#### PRIOR FOREIGN APPLICATION(S)

			Priority Claim	
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

## DECLARATION AND POWER OF ATTORNEY

I hereby claim the benefit under Title 35, United States Code, section 119(e) of any United States Provisional application(s) listed below:

### PRIOR PROVISIONAL APPLICATIONS

application serial number month/day/year filed

application serial number month/day/year filed

### PRIOR U.S. APPLICATIONS

I hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s) listed below:

Application Serial No.	Filing Date	Status - patented, pending, abandoned
		
		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### POWER OF ATTORNEY

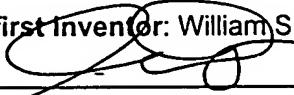
I hereby appoint the following attorney(s) and/or agent(s) Linda M. Deschere, Patent Office Registration No. 34,811; Michael D. Wiggins, Patent Office Registration No. 34,754; Lawrence B. Plant, Patent Office Registration No. 22,684; Anthony L. Simon, Patent Office Registration No. 34,434; and Karl F. Barr, Patent Office Registration No. 33,155 as my attorney(s) and/or agent(s), to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

### CORRESPONDENCE ADDRESS

I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Linda M. Deschere, Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

## DECLARATION AND POWER OF ATTORNEY

**Full name of sole or first inventor:** William S. Wheat

Inventor's signature: 

Date: 07/30/01

Residence: 76 Crosman Terrace, Rochester, New York 14620

Citizenship: United States of America

Mailing Address: Same

**Full name of second inventor:** Mark A. Meltser

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 160 Oakshire Way, Rochester, New York 14534

Citizenship: United States of America

Mailing Address: Same

**Full name of third inventor:** David A. Masten

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 30 Knollbrook Road, Apartment 6, Rochester, New York 14610

Citizenship: United States of America

Mailing Address: Same

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Atty. Dkt. No.: 8540G-000083  
Client Ref. No. GP-301170

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(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

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Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 76 Crosman Terrace, Rochester, New York 14620

Citizenship: United States of America

Mailing Address: Same

**Full name of second inventor:** Mark A. Meltsner

Inventor's signature: 

Date: 08.01.01 / \_\_\_\_\_

Residence: 160 Oakshire Way, Rochester, New York 14534

Citizenship: United States of America

Mailing Address: Same

**Full name of third inventor:** David A. Masten

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 30 Knollbrook Road, Apartment 6, Rochester, New York 14610

Citizenship: United States of America

Mailing Address: Same

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			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

## DECLARATION AND POWER OF ATTORNEY

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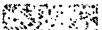
### PRIOR PROVISIONAL APPLICATIONS

application serial number month/day/year filed

application serial number month/day/year filed

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**Full name of sole or first inventor:** William S. Wheat

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 76 Crosman Terrace, Rochester, New York 14620

Citizenship: United States of America

Mailing Address: Same

**Full name of second inventor:** Mark A. Meltser

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 160 Oakshire Way, Rochester, New York 14534

Citizenship: United States of America

Mailing Address: Same

**Full name of third inventor:** David A. Masten

Inventor's signature: David Masten

Date: August 9, 2001

Residence: 30 Knollbrook Road, Apartment 6, Rochester, New York 14610

Citizenship: United States of America

Mailing Address: Same



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

065406-000083C

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DAM

NOVEMBER 20, 2001

PTAS

HARNESS, DICKEY & PIERCE, P.L.C.  
LINDA M. DESCHERE  
P.O. BOX 828  
BLOOMFIELD HILLS, MI 48303

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
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\*101846343A\*

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RECORDATION DATE: 09/07/2001

REEL/FRAME: 012158/0519  
NUMBER OF PAGES: 12

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

WHEAT, WILLIAM S.

DOC DATE: 07/30/2001

ASSIGNOR:

MELTSER, MARK A.

DOC DATE: 08/01/2001

ASSIGNOR:

MASTEN, DAVID A.

DOC DATE: 08/09/2001

ASSIGNEE:

GENERAL MOTORS CORPORATION  
300 RENAISSANCE CENTER, P.O. BOX  
300  
MAIL CODE 482-C23-B21  
DETROIT, MICHIGAN 48265-3000

SERIAL NUMBER: 09948897

FILING DATE: 09/07/2001  
PATENT NUMBER:

ISSUE DATE:

012158/0519 PAGE 2

JEEVON JONES, EXAMINER  
ASSIGNMENT DIVISION  
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 Merger  
 Security Agreement  
 Change of Name  
 Other

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Departmental File  Secret File

**Conveying Party(ies)**

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
07 30 2001

Name (line 1)  William S. Wheat

Name (line 2)

**Second Party**

Name (line 1)  Mark A. Meltser

Execution Date  
Month Day Year  
08 01 2001

Name (line 2)

**Receiving Party**

Mark if additional names of receiving parties attached

Name (line 1)  General Motors Corporation

If document to be recorded  
is an assignment and the  
receiving party is not  
domiciled in the United States,  
an appointment of a domestic  
representative is attached.  
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Assignment.)*

Name (line 2)

Address (line 1)  Mail Code 482-C23-B21

Address (line 2)  300 Renaissance Center, P.O. Box 300

Address (line 3)  Detroit

Michigan

48265-3000

City

State/Country

Zip Code

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

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Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

1C8210  
09/948897 PTO  
09/07/01

Correspondent Name and Address      Area Code and Telephone Number      248-641-1600

Name      Linda M. Deschere

Address (line 1)      Harness, Dickey & Pierce, P.L.C.

Address (line 2)      P.O. Box 828

Address (line 3)      Bloomfield Hills, MI 48303

Address (line 4)     

Pages      Enter the total number of pages of the attached conveyance document  
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Application Number(s) or Patent Number(s)       Mark if additional numbers attached.  
Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)	Patent Number(s)
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If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.      Month      Day      Year  
07      30      2001

Patent Cooperation Treaty (PCT)  
Enter PCT application number      PCT      PCT      PCT  
only if a U.S. Application  
Number as not been assigned.      PCT      PCT      PCT

Number of Properties      Enter the total number of properties involved.      #      1

Fee Amount      Fee Amount for Properties Listed (37 CFR 3.41):      \$      40

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Deposit Account

Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:      #      07-0960

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Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Linda M. Deschere, Reg. No. 34,811

Name of Person Signing

Signature

Date

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CONTINUATION  
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Conveying Party(ies)

Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1)

Execution Date  
Month Day Year  
08 09 2001

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

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Month Day Year

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Execution Date  
Month Day Year

Name (line 2)

Receiving Party(ies)

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Enter additional Receiving Party(ies)

Name (line 1)

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is an assignment and the  
receiving party is not  
domiciled in the United  
States, an appointment  
of a domestic  
representative is attached.  
(Designation must be  
a separate document from  
Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

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14821 U.S. PTO  
09/07/01



09-18-2001

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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

## Submission Type

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 Document ID #   
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 Reel #  Frame

## Conveyance Type

Assignment  
 License  
 Merger  
 Security Agreement  
 Change of Name  
 Other

## U.S. Government

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Departmental File  Secret File

J-021-U.S.  
09/948897  
09/07/01

## Conveying Party(ies)

 Mark if additional names of conveying parties attached

Name (line 1) William S. Wheat

Execution Date  
Month Day Year  
07 30 2001Name (line 2) Execution Date  
Month Day Year  
08 01 2001

## Second Party

Name (line 1) Mark A. Meltser

Name (line 2)  09948897

## Receiving Party

Name (line 1) General Motors Corporation

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Address (line 3) Detroit

Michigan

48265-3000

City

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Address (line 2)		P.O. Box 828		
Address (line 3)		Bloomfield Hills, MI 48303		
Address (line 4)				
<b>Pages</b>	Enter the total number of pages of the attached conveyance document including any attachments # 12			
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Patent Application Number(s)		Patent Number(s)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
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If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.		Month	Day	Year
		07	30	2001
<b>Patent Cooperation Treaty (PCT)</b>				
Enter PCT application number only if a U.S. Application Number as not been assigned.	PCT	<input type="text"/>	PCT	<input type="text"/>
	PCT	<input type="text"/>	PCT	<input type="text"/>
<b>Number of Properties</b>	Enter the total number of properties involved. # 1			
<b>Fee Amount</b>	Fee Amount for Properties Listed (37 CFR 3.41): \$ 40			
Method of Payment: Deposit Account	Enclosed <input type="checkbox"/>	Deposit Account <input checked="" type="checkbox"/>		
Enter for payment by deposit account or if additional fees can be charged to the account.)				
Deposit Account Number:	#	07-0960		
Authorization to charge additional fees: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				
<b>Statement and Signature</b>				
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.				
Linda M. Deschere, Reg. No. 34,811		Signature	Signature	
Name of Person Signing			Date	

FORM PTO-1619A  
Expires 06/30/99  
OMB 0651-0077

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PATENTS ONLY

U.S. Department of Commerce  
Patent and Trademark Office  
PATENT

**Conveying Party(ies)**

*Enter additional Conveying Parties*

Name (line 1)

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
08 09 2001

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

**Receiving Party(ies)**

Mark if additional names of receiving parties attached

*Enter additional Receiving Party(ies)*

Name (line 1)

If document to be recorded  
is an assignment and the  
receiving party is not  
domiciled in the United  
States, an appointment  
of a domestic  
representative is attached.  
(Designation must be  
a separate document from  
Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

If document to be recorded  
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States, an appointment  
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(Designation must be  
a separate document from  
Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

**Application Number(s) or Patent Number(s)**

Mark if additional numbers attached

*Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).*

**Patent Application Number(s)**

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**Patent Number(s)**

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JC821 U.S. PTO  
09/09/948897  
09/07/01



United States and  
Foreign (Joint)

Case: GP-301170  
8540G-000083

### ASSIGNMENT AND AGREEMENT

FOR VALUE RECEIVED, we, William S. Wheat, a citizen of the United States, and residing at 76 Crosman Terrace, Rochester, NY 14620, Mark A. Meltser, a citizen of the United States, and residing at 160 Oakshire Way, Rochester, New York 14534, and David A. Masten, a citizen of the United States, and residing at 30 Knollbrook Road, Apartment 6, Rochester, New York 14610, respectively, hereby sell, assign and transfer to General Motors Corporation a corporation duly organized and existing under the laws of the State of Delaware and having a place of business at Detroit, Michigan as assignee, and its successors, assigns and legal representatives, the entire right, title and interest for the United States of America and all countries in and to certain inventions relating to

### FUEL CELL ENERGY MANAGEMENT SYSTEM FOR COLD ENVIRONMENTS

which are described in the specification in an application, executed by

William S. Wheat on the 30 day of July, 2001;

Mark A. Meltser on the 1 day of August, 2001;

David A. Masten on the 9 day of August, 2001;

(and I hereby authorize my attorneys, authorized to prosecute the application, to here insert the filing date and serial number of the application, as soon as it is known, Serial No. \_\_\_\_\_

\_\_\_\_, filed \_\_\_\_\_) and all the rights and privileges under any United States Letters Patent and all foreign Letters Patent that may be granted therefor.

We request that any and all United States and foreign patents for the inventions be issued to the assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

We agree that, when requested, we will sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for the inventions in any and all countries, and for vesting title thereto in the assignee, its successors, assigns and legal representatives or nominees.

## United States and Foreign (Joint)

We authorize and empower the assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for the inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

We covenant with the assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.

---

William S. Wheat

On this \_\_\_\_ day of \_\_\_\_\_, 2001, personally appeared before me William S. Wheat, to me known to be the person who executed the above instrument and acknowledged that he executed the same for the uses and purposes therein mentioned.

Notary Public  
My Commission Expires:

United States and  
Foreign (Joint)

Mark A. Meltser

STATE OF )  
COUNTY OF ) ss.  
            )

On this \_\_\_\_ day of \_\_\_\_\_, 2001, personally appeared before me Mark A. Meltser, to me known to be the person who executed the above instrument and acknowledged that he executed the same for the uses and purposes therein mentioned.

Notary Public  
My Commission Expires:

  
David A. Masten

STATE OF New York )  
COUNTY OF Monroe ) ss.  
                    )

On this 9 day of August, 2001, personally appeared before me David A. Masten, to me known to be the person who executed the above instrument and acknowledged that he executed the same for the uses and purposes therein mentioned.

  
James L. Saller  
Notary Public  
My Commission Expires: 8-21-01

JAMES L. SALLER  
NOTARY PUBLIC, State of New York  
Monroe County # 4954954  
My Commission Expires 8-21-01

United States and  
Foreign (Joint)

Case: GP-301170  
8540G-000083

### ASSIGNMENT AND AGREEMENT

FOR VALUE RECEIVED, we, William S. Wheat, a citizen of the United States, and residing at 76 Crosman Terrace, Rochester, NY 14620, Mark A. Meltser, a citizen of the United States, and residing at 160 Oakshire Way, Rochester, New York 14534, and David A. Masten, a citizen of the United States, and residing at 30 Knollbrook Road, Apartment 6, Rochester, New York 14610, respectively, hereby sell, assign and transfer to General Motors Corporation a corporation duly organized and existing under the laws of the State of Delaware and having a place of business at Detroit, Michigan as assignee, and its successors, assigns and legal representatives, the entire right, title and interest for the United States of America and all countries in and to certain inventions relating to

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Mark A. Meltser on the \_\_\_\_\_ day of \_\_\_\_\_, 2001;

David A. Masten on the \_\_\_\_\_ day of \_\_\_\_\_, 2001;

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Foreign (Joint)

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We covenant with the assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.

---

William S. Wheat

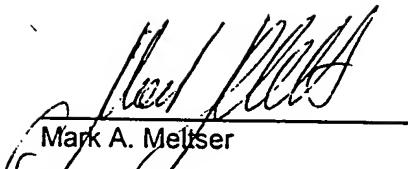
STATE OF )  
                  ) ss.  
COUNTY OF )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, personally appeared before me William S. Wheat, to me known to be the person who executed the above instrument and acknowledged that he executed the same for the uses and purposes therein mentioned.

---

Notary Public  
My Commission Expires:

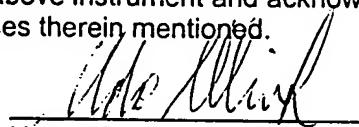
United States and  
Foreign (Joint)

  
Mark A. Meltser

STATE OF )

COUNTY OF )  
                  ) ss.  
                  )

On this 1 day of August, 2001, personally appeared before me Mark A. Meltser, to me known to be the person who executed the above instrument and acknowledged that he executed the same for the uses and purposes therein mentioned.

  
Notary Public  
My Commission Expires: witness:

David A. Masten

STATE OF )

COUNTY OF )  
                  ) ss.  
                  )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, personally appeared before me David A. Masten, to me known to be the person who executed the above instrument and acknowledged that he executed the same for the uses and purposes therein mentioned.

Notary Public  
My Commission Expires:

United States and  
Foreign (Joint)

Case: GP-301170  
8540G-000083

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Mark A. Meltser on the \_\_\_\_\_ day of \_\_\_\_\_, 2001;

David A. Masten on the \_\_\_\_\_ day of \_\_\_\_\_, 2001;

(and I hereby authorize my attorneys, authorized to prosecute the application, to here insert the filing date and serial number of the application, as soon as it is known, Serial No. \_\_\_\_\_, filed \_\_\_\_\_) and all the rights and privileges under any United States Letters Patent and all foreign Letters Patent that may be granted therefor.

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United States and  
Foreign (Joint)

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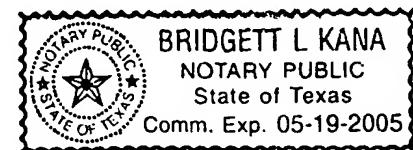
We covenant with the assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.



William S. Wheat

STATE OF TEXAS )  
COUNTY OF HARRIS ) ss.  
                          )

On this 30<sup>th</sup> day of July, 2001, personally appeared before me William S. Wheat, to me known to be the person who executed the above instrument and acknowledged that he executed the same for the uses and purposes therein mentioned.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:

United States and  
Foreign (Joint)

Mark A. Meltser

STATE OF )  
                  ) ss.  
COUNTY OF      )

On this \_\_\_\_ day of \_\_\_\_\_, 2001, personally appeared before me Mark A. Meltser, to me known to be the person who executed the above instrument and acknowledged that he executed the same for the uses and purposes therein mentioned.

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Notary Public  
My Commission Expires:

David A. Masten

STATE OF )  
                  ) ss.  
COUNTY OF      )

On this \_\_\_\_ day of \_\_\_\_\_, 2001, personally appeared before me David A. Masten, to me known to be the person who executed the above instrument and acknowledged that he executed the same for the uses and purposes therein mentioned.

---

Notary Public  
My Commission Expires: